

CITY OF SAN JOSÉ, CALIFORNIA  
Department of Planning, Building and Code Enforcement  
801 North First Street, Room 400  
San José, California 95110-1795

Hearing Date/Agenda Number  
H.L.C. 12/04/02      Item 6.a.

File Number  
HP02-019

Application Type  
Historic Preservation Permit

Council District  
3

SNI  
No

Planning Area  
Central

Assessor's Parcel Number(s)  
249-45-043

## STAFF REPORT

### PROJECT DESCRIPTION

Completed by: David Tymn

Location: West Side of North. 5<sup>th</sup> Street approximately 450 feet southerly of east Empire Street (451 North 5<sup>th</sup> Street)

Gross Acreage: 0.12      Net Acreage: 0.12      Net Density: n/a

Existing Zoning: LI Light Industrial      Existing Use: Vacant Single-family House

Proposed Zoning: No change      Proposed Use: Single-family House

### GENERAL PLAN

Completed by: DT

Land Use/Transportation Diagram Designation  
Medium Density Residential (8-16 DU/AC)

Project Conformance:  
☒ Yes    ☐ No  
☐ See Analysis and Recommendations

### SURROUNDING LAND USES AND ZONING

Completed by: DT

North:	Residential	R-M Multi-family residential
East:	Residential	R-M Multi-family residential
South:	Industrial	LI Light industrial
West:	Residential	R-M Multi-family residential, R-2 Two family residential

### ENVIRONMENTAL STATUS

Completed by: DT

☐ Reuse of EIR  
☐ Negative Declaration circulated on  
☐ Negative Declaration adopted on

☒ Exempt  
☐ Environmental Review Incomplete

### FILE HISTORY

Completed by: DT

Annexation Title: Original City

Date: 3/27/1850

### PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☐ Approval  
☐ Approval with Conditions  
☐ Denial  
☐ Uphold Director's Decision

Date \_\_\_\_\_

Approved by: \_\_\_\_\_  
☐ Action  
☒ Recommendation

OWNER / DEVELOPER / DESIGNER

---

Saeid Pourabdollah  
1522 Ardenwood  
San Jose CA 95129

---

---

---

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: DT

Department of Public Works

None

Other Departments and Agencies

None

---

GENERAL CORRESPONDENCE

---

None

---

---

ANALYSIS AND RECOMMENDATIONS

---

## **BACKGROUND**

The owner/ applicant Saeid Porabdallah, is proposing to rehabilitate and add on to the subject single-family house. The structure is currently boarded-up and unoccupied.

The surrounding land uses are: Single-family detached residential to the north, an industrial storage yard and railroad tracks to the south, single-family detached residential to the east across North 5th Street and duplex and single-family residential to the west.

Due to the fact that this house is in the Hensley Historic District, a Single-Family House Permit will also be required for this project. The applicant is aware of this requirement but has not yet filed this application.

## **HISTORIC RESOURCE DESCRIPTION**

This Italianate residence, built circa 1874 is listed on the San Jose Historic Resources Inventory as a Contributing Structure to the Hensley Historic District.

## **ENVIRONMENTAL REVIEW**

Under the provisions of Section 15331 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), this project is found to be exempt from environmental review in that the project is limited to the rehabilitation of a historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (1995), Weeks and Grimmer.

## **GENERAL PLAN CONFORMANCE**

This property has a General Plan designation of Medium Density Residential (8-16 DU/AC). The existing single-family house use and the proposed project for renovation to restore it to a habitable condition are consistent with the General Plan Land Use Transportation Diagram designation of Medium Density Residential.

## **PROJECT DESCRIPTION**

The proposed project consists of the renovation of a vacant single-family house. The renovation will consist of modifications to the floor plan, restoration of the existing structure inside and out and the removal and replacement of an existing non-original addition at the rear. There will be a net reduction in square footage with the completion of the project. The project will also include a 650 square foot accessory structure with a two-car garage. This is the maximum size accessory structure allowed by the Zoning Ordinance without securing a Special Use Permit.

The San Jose Municipal Code section 20.100.1000 requires that a Single-Family House Permit be required for the exterior alteration of a single-family house that is listed on the Historic Resources Inventory. This project is located in the Hensley Historic District. The Single Family House Permit will require staff level approval prior to the final approval of the Historic preservation permit at a hearing before the Director of Planning.

## **ANALYSIS**

The primary project issue is conformance with the Secretary of the Interior's Standards for Rehabilitation. The project conforms to the Standards in general, and in particular to Standard Nos. 1, 6, 9 and 10.

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
6. Deteriorated features from the restoration period will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Pierre Schutz, Code Enforcement Inspector of the Code Enforcement Division has contacted Planning Staff indicating that the division has had problems with transients and break-ins at the site. Code Enforcement staff is concerned that with the colder weather approaching someone may break-into the vacant property and start a fire to keep warm, which could jeopardize lives and the structure. In order to expedite the legal habitation of the

vacant historic structure, Implementation Planning Staff decided to schedule the project for hearing as early as possible. Final plans will be clarified and the Historic Landmarks Commission's comments will be incorporated, prior to Director's Hearing.

Staff would also like to make some clarifications as to the content of the plans for the Commission's review. Staff forwarded initial comments to the applicant with regard to the proposed addition, specifically related to: the transition from existing to new construction, the proposed roof design, the proposed siding and the new windows. Sheets 2, 3, 4, and 5 reflect the initial submittal. Sheets 3B and 5B reflect the revised plans based on our comments. The initial proposal included stucco siding and the removal of the flat roof to be replaced by a hip roof. The plans now reflect wood siding and a flat roof design and more compatible windows for the addition.

Overall, the renovation of this structure will be an attribute to the Hensley neighborhood. The applicant has followed staff's direction to design the new addition to compliment the original structure, but not to replicate it. There will be a clear distinction between the old and the new construction.

### **COMMUNITY OUTREACH**

A public hearing notice for the project was published in a local newspaper and mailed to all property owners and tenants within 500 feet of the subject site.

### **RECOMMENDATION**

Planning staff recommends that the Historic Landmarks Commission find that the proposal conforms to the Secretary of the Interior's Standards and recommend approval of the proposed project to the Director of Planning with standard and special conditions as follow:

1. Colors and materials for the single-family house renovation presented to the Historic Landmarks Commission shall be included on the approved plan set. The colors and materials of the new addition shall be slightly differentiated from that of the existing historic fabric.